

bridge need not open, except for inbound commercial fishing vessels on the hour. The bridge would be required to open on signal at any time for vessels with a draft of 15 feet or greater.

The Coast Guard received twenty (23) comment letters in response to the notice of proposed rulemaking and a petition signed by 76 recreational boaters. All the comment letters and the petition opposed the proposed changes to the operating rules for the bridge. Comment letters were received from commercial operators, public officials, commercial facilities, recreational vessel owners, and marinas located upstream of the bridge. The petition was from recreational boaters located at several marinas upstream of the bridge. The comment letters and the petition objected to any limitation of the operating hours for both commercial and recreational vessels at any time. They indicated that the marine operators have enough restrictions with the existing hourly openings and further limitations on their ability to transit to their facilities would cause an undue economic hardship on their operations.

The marinas located upstream of the bridge indicated a potential loss of business could result since many of their customers likely would seek other locations rather than deal with the hourly openings and the proposed two additional closed periods Monday through Friday. The commercial operators indicated that any restrictions to commercial vessels would be totally unacceptable and would place a hardship on the main economic interests of the New Bedford area.

In light of the strong opposition to the notice of proposed rulemaking, the Coast Guard reconsidered changing the operating regulations for the bridge and determined that the proposed rule is too restrictive for the waterway users.

The Coast Guard no longer believes that this proposed rule achieves the requirement of balancing the navigational rights of waterway users and the needs of land based transportation.

The notice of proposed rulemaking is withdrawn and the docket is closed.

Dated: July 10, 1998.

James D. Garrison,

Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[MN59-01-7284b; FRL-6139-3]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Minnesota; Municipal Waste Combustor State Plan Submittal

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve the Minnesota State Plan submittal for implementing the Emission Guidelines for Large Municipal Waste Combustors (MWCs). The State's plan submittal was made pursuant to requirements found in the Clean Air Act (CAA). The State's plan was submitted to EPA on April 28, 1998 in accordance with the requirements for adoption and submittal of State plans for designated facilities in 40 CFR part 60, subpart B. It establishes performance standards for existing large MWCs and provides for the implementation and enforcement of those standards. The EPA finds that Minnesota's Plan for existing large MWCs adequately addresses all of the Federal requirements applicable to such plans. In the final rules of this **Federal Register**, the EPA is approving this action as a direct final without prior proposal because EPA views this as a noncontroversial action and anticipates no adverse comments. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received by September 11, 1998.

ADDRESSES: Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final rule which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA's analysis are available for inspection at the following

address: (Please telephone Douglas Aburano at (312) 353-6960 before visiting the Region 5 office.) EPA, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

Dated: July 23, 1998.

Robert Springer,

Acting Regional Administrator, Region V.
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DEPARTMENT OF DEFENSE

General Services Administration

National Aeronautics and Space Administration

48 CFR Part 31

[FAR Case 97-010]

RIN 9000-AH71

Federal Acquisition Regulation; Taxes Associated With Divested Segments

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Withdrawal of proposed rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have decided to withdraw the proposed rule published in the **Federal Register** at 62 FR 49903, September 23, 1997 (FAR Case 97-010, Taxes Associated with Divested Segments).

When a contractor discontinues operations through the sale or other transfer of ownership of a segment, the contractor may be assessed state and local taxes on the gain resulting from that sale or transfer. Since the Government does not share in the gain resulting from the segment sale or transfer, the Government should not share in any tax increases resulting from the segment sale or transfer. The rule proposed revisions to Federal Acquisition Regulation 31.205-41, Taxes, to add increased taxes resulting from a contractor's sale or other transfer of ownership of a segment to the list of unallowable costs.

The respondents expressed concern that the rule would place a significant administrative burden on contractors by requiring them to compute state and local taxes twice: once to determine the actual taxes and again to assess the taxes that would have been paid had the segment not been sold. The DoD, GSA, and NASA have decided to withdraw